United Nations CEDAW/C/HND/Q/7-8

# Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination against Women**
**Sixty-fifth session**
24 October-18 November 2016
Item 4 of the provisional agenda
**Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women**

## List of issues and questions in relation to the combined seventh and eighth periodic reports of Honduras

### Constitutional, legislative and policy framework

1. Please provide information on the steps taken to expedite the adoption of the draft bill on compensation for victims of human rights violations (CEDAW/C/HND/7-8, para. 13).[1] Please also provide information about the amendments to the Penal Code of article 333, on the crime of enforced disappearance of persons, and article 117, relating to the crime of murder, which would add a series of aggravating circumstances, including "based on gender, sexual orientation and civil status". Please explain how these amendments address the gender specificity relating to these offences.

2. Please provide information about steps to overcome the reported institutional weakening of national mechanisms for women since the coup d'état in 2009, specifically information on the situation of offices at the municipal level. Following the previous concluding observations (CEDAW/C/HON/CO/6, para. 17), please provide further information on the actions taken in order to strengthen and improve the authority of the National Institute for Women, including references to financial and human resources for effectively carrying out its work. Please also inform the Committee about resources provided for the functioning of the Inter-Agency Committee on Gender (CEDAW/C/HND/7-8, para. 5) and its specific mandate, and explain the reform that reportedly took place in 2014.

*Note*: The present document is being issued in English, French and Spanish only.

[1] Unless otherwise indicated, paragraph numbers refer to the combined seventh and eighth periodic reports of the State party.

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**Access to justice and legal complaint mechanisms**

3. Please provide information about the impact of the establishment of a special prosecutor for women and about steps taken to curb the high levels of impunity for violence against women, as noted in the report of the Special Rapporteur on violence against women, its causes and consequences (A/HRC/29/27/Add.1). According to information received, the State has recently approved $1.3 million to establish in Tegucigalpa and San Pedro Sula a unit on the investigation of violent female deaths and instances of femicide; please provide information about how the State will ensure its sustainability and the mandate of the unit. According to information received, the State has reportedly closed the Integration of Crimes against Women Unit in the Ministry of Public Services and has cancelled the helpline for victims of violence. Please provide information about the impact that this decision has had on effective access to justice. Please provide information about the reported criminalization and prosecution of the work of human rights defenders and how the bill to protect women human rights defenders in Honduras has been implemented since its adoption (see CEDAW/C/HND/7-8, para. 14). Please provide specific information on the process of implementation of that law, including the rules of procedure, in order to guarantee full access by women to the judiciary and to ensure the enjoyment of human rights by women human rights defenders.

**Temporary special measures**

4. In paragraphs 44 to 49 of its report, the State party refers to several projects and programmes carried out between 2006 and 2011. Please provide information about how these measures have accelerated the realization of the de facto equality of women. Furthermore, please advise if the State party has in place an affirmative action policy aimed at ensuring a greater presence of women in positions in the executive and public administration. Please also provide information about plans to implement temporary special measures, in line with previous concluding observations and the Committee's general recommendation No. 25 (2004) (CEDAW/C/HON/CO/6, para. 23).

**Stereotypes and harmful practices**

5. Please provide information about steps taken to intensify efforts to promote changes in the patriarchal and male-centred culture in Honduran society. Please explain the impact of the steps taken to eliminate discriminatory social norms and stereotypes, including through the coordination of interministerial programmes and training provided to the police, among others, and the development of materials by various ministries, as noted in paragraphs 50 to 58 of the report. Please also provide information on steps taken to address the issue of multiple forms of discrimination against women, through awareness-raising campaigns and other capacity development programmes.

**Violence against women**

6. Please provide information about the implementation of the provisions of the Criminal Code relating to violent deaths by reason of gender ("femicide") and about the funds provided for investigative bodies to enhance their capacity to accomplish their mandate. Please indicate progress made concerning the adoption of a standard classification to delineate and record information on femicide, which is noted as a

challenge in paragraph 35 of the report. Please provide information about whether such a standard classification contains data disaggregated by the age, race and sex of the victims and perpetrators, as well as about the relationship between the perpetrators and the victims, with a view to shaping more effective public policies for the protection of victims and the development of further preventive measures.

7. Please provide information about the legal framework concerning domestic violence and to what extent it provides effective protection or redress from such violence. Please provide information about the existing shelters for victims of violence, including domestic violence, and plans to establish professional multidisciplinary counselling, crisis intervention services and support groups in order to assist women victims of violence and their children.

8. Further to the public recognition of its international responsibility on the killing of environmentalist Blanca Jeannette Kawas Fernández on 6 February 1995 (CEDAW/C/HND/7-8, para. 15) and the drafting of the bill on compensation for victims of human rights violations, please provide information about the prosecution and the compensation provided. Please also provide information about programmes to guarantee effective protection of human rights defenders and the steps taken in the country to put an end to the prevailing impunity regarding criminal acts against members of the indigenous community, as noted by various special rapporteurs. Please indicate steps taken to protect rural female leaders from eviction, killings, threats and violence, including with regard to their families, such as Margarita Murillo, killed in August 2014, and Berta Cásares, killed on 2 March 2016, both of whom were subject to precautionary measures from the Inter-American Commission on Human Rights.

**Trafficking and exploitation of prostitution**

9. In relation to the steps taken to criminalize and prosecute all forms of trafficking (CEDAW/C/HND/7-8, para. 66) by, inter alia, the passing of the Trafficking Act (May 2012) and the tabling of the draft bill "Special Trafficking Act", please clarify how these steps can also combat the exploitation of prostitution. Please provide data on the number of cases of women trafficked, cases investigated, cases prosecuted and convictions of perpetrators for the crime of trafficking as well as for the exploitation of prostitution. Please provide information about the mechanisms that have been developed to implement the Trafficking Act, as well as about the regional protocol for the mapping of Central American trafficking. Please also provide information on measures taken to reduce the demand side of prostitution.

**Participation in political and public life**

10. Please provide information about steps taken to enhance women's participation in political and public life, in particular in the parliament, and in decision-making bodies, academia, the diplomatic service and the judiciary, concerning the implementation of the Elections and Political Organizations Act further to the reform undertaken in 2012. Please provide updated information about the implementation of the political agenda of indigenous women and Honduran women of African descent for the period 2012-2013.

**Education**

11. Please provide information about the State budget dedicated to improving the access of women and girls to education, and the quality of that education; reducing dropout rates, in particular in rural, remote and indigenous areas; supporting preschool education on a continued basis; and substantially increasing access to secondary education. Please also provide information about whether integrated sexual education is offered to girls and boys within the school curriculum and what steps have been initiated to introduce legal initiatives in this area. Please provide information about the programmes for Honduran women of African descent in order to enhance their access to education and information about the impact assessment of such programmes.

**Employment**

12. Please provide information about steps taken to enhance conditions to improve the situation of women in the labour market and to eradicate child labour, including the measures taken for the effective protection of indigenous women and women of African descent engaged in domestic work. Please also provide disaggregated data about the proportion of women in the informal sector, the existence of minimal regulation on the condition of women workers in this area and steps introduced to protect women from abusive practices. Please provide information about the measures taken to monitor and improve the situation for women working in the *maquilas* (assembly plants).

**Health**

13. In its report, the State party mentions that abortion is still a crime in Honduras. Please provide information on the impact of unsafe abortion on maternal mortality. Please provide information on how women qualify for a therapeutic abortion in the established cases to which the State party makes reference in paragraph 130 of its report. Please also provide information about the measures taken to enable girls and women in rural and urban areas to have easy and affordable access to family planning and services and contraceptive methods. Please provide information about whether the State party conducts studies to evaluate the impact of the prohibition of the prescription, sale and use of emergency contraception, particularly in cases of rape and incest.

14. Following the Committee's previous concluding observations (CEDAW/C/HON/CO/6, para. 24), please provide updated statistical information about the prevalence of HIV/AIDS in women, including indigenous women and women of ethnic minorities groups. Please provide information about the effectiveness of the sexual education programmes delivered in schools and health-care centres.

**Rural women**

15. Please provide information about the number of women living in rural areas and the resources provided for women through CrediMujer and the National Bank of Agricultural Development. Please indicate what, if any, steps have been taken to introduce agrarian reforms for women. Please inform the Committee of any existing property titles owned by indigenous women and women of African descent. Please

provide information about efforts to help the women living in rural areas to face the negative impact of the drought.

**Disadvantaged groups of women**

16. Please provide information regarding progress made to implement the national policy against racism and racial discrimination for the period 2014-2022 and the steps taken to remedy violence against indigenous and women and girls, and women and girls of African descent. Please also provide information about cases of land eviction in favour of corporate development projects, which reportedly places communities, particularly indigenous ones, in situations of extreme risk and vulnerability, with women and children bearing most of the cost, as noted in the 2014 report of the Special Rapporteur on violence against women, its causes and consequences (A/HRC/29/27/Add.1). Please provide disaggregated data on the multiple forms of discrimination faced by women belonging to indigenous groups and/or women of African descent.

17. Please provide information about the policies and programmes existing in the State party for women with disabilities, women in detention and lesbian, bisexual, transgender or intersex women, with regard to their access to justice, health and social services, education, employment and protection against violence and discrimination. Please provide information on how the Comprehensive Act on Protection for Older Persons and Retirees (2007) and the Directorate-General for Older Persons has advanced the rights of older women.

**Refugees, asylum seekers and the internally displaced**

18. Please provide information about the steps taken to develop and implement a comprehensive human rights-based policy and programme to address the root causes of the migration of unaccompanied children, focusing on the specific situation of girls, and to address the situation of children in the State party left behind by migrant family members. Please provide information about the specific situation of girl children. Please also inform the Committee about the impact of the Consular Protection Subdirectorate, established in August 2010, which the State party suggests would ensure the prompt and safe repatriation of unaccompanied girls, boys and adolescents from Mexico (CEDAW/C/HND/7-8, para. 63).

**Marriage and family relations**

19. Please provide information about progress made to address the discriminatory provisions identified in the report of the State party (para. 197), including with regard to the minimum age for marriage and the review of biological criteria in the legislation on children and adolescents.

**Optional Protocol and the amendment to article 20 (1) of the Convention**

20. With regard to paragraph 186 of its report, in which the State party addresses the country's position on the Optional Protocol, please indicate progress made with respect to the ratification of the Optional Protocol. Please also provide information about the acceptance of the amendment to article 20 (1) of the Convention.